

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA	:	
	:	
v.	:	
	:	No. 5:24-CR-45-CAR-CHW
MICHAEL PRIEST,	:	
	:	
Defendant.	:	
	:	

ORDER GRANTING JOINT MOTION TO CONTINUE TRIAL

Currently before the Court is Defendant Michael Priest's Joint Motion to Continue [Doc. 38] the pretrial conference scheduled for November 15, 2024, and the trial of this case set for December 2, 2024. On August 14, 2024, the Grand Jury returned an indictment charging Defendant with one count of Possession of a Firearm by a Convicted Felon. On August 26, 2024, Defendant was arrested, and on August 27, 2024, Defendant was appointed counsel, pled not guilty at his arraignment, and after a detention hearing on August 30, 2024, was detained pending resolution of his charges. This case has twice been previously continued, and the Government joins in Defendant's request for the current continuance.

On October 22, 2024, United States Magistrate Judge Charles Weigle ordered Defendant be committed to the Bureau of Prisons to undergo a competency evaluation

pursuant to 18 U.S.C. §§ 4241(b) and 4247(b).¹ In the Motion, defense counsel states Defendant was picked up by the United States Marshals and transported to Robert Dayton Detention Facility in Atlanta, Georgia, where he will be housed under federal custody awaiting JPATS (Justice Prisoner and Alien Transportation System) pickup to transport him to Miami FDC, where he has been designated for the court-ordered evaluation to determine his competency to stand trial. Thus, additional time is needed for Defendant to undergo the competency evaluation. Having considered the matter, the Court finds it serves the ends of justice to continue the trial of this case. The ends of justice served by granting a continuance outweigh the interests of Defendant and the public in a speedy trial. Failure to grant a continuance would deny counsel reasonable time to effectively represent Defendant, construct a defense, and could result in a miscarriage of justice.

Thus, Defendant's Joint Motion to Continue [Doc. 38] is **GRANTED**, and **IT IS HEREBY ORDERED** that this case be continued until January 27, 2025, the next regularly scheduled term of Court for the Macon Division. The delay occasioned by this continuance shall be deemed excludable pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161.

¹ Doc. 37.

SO ORDERED, this 6th day of November, 2024.

s/ C. Ashley Royal
C. ASHLEY ROYAL, SENIOR JUDGE
UNITED STATES DISTRICT COURT